631
643 naval forces for the maintenance of order.

647 Under the governor-general, were a secretariat, several administrative departments, which included home affairs, education, finance, police, communication, agriculture, and industry, and monopoly bureaus and research institutes. There was also an
645 advisory council with forty councilors, all appointed by the governor-general, who was its chairman. The term of office for the councilors was two years. "In case of necessity, however, the governor-general of Taiwan is authorized to relieve any councilor of his post before the expiration of his office term."[3] The prerogatives of the council were "to announce its opinions in reply to questions submitted thereto by the governor-general regarding important matters of administration."[4] The councilors were appointed from among high-ranking government officials and resident citizens "rich in scholarship and experience." "Clearly, this is a purely bureaucratic
646 institution. The people of Taiwan have no representatives in the Japanese Imperial Diet; they have no representative body which takes

3. The Organization of the Council, Imperial Ordinance No. 248, June 1, as revised on June 28, 1930 by Imperial Ordinance No. 128, Article IV.

4. Ibid., Article I.

646 are strictly forbidden, and disputes concerning
642 elections shall be settled by the courts (Articles 130-33). The delegates to the National Assembly and members of the Legislative Yuan are elected directly by the people; but the president and vice-president are elected by the National Assembly, and the members of the Control Yuan are elected by the provincial and municipal assemlies. In local elections of 1950 and 1953-54 on Formosa, the magistrates, mayors, and members of the provincial hsien and municipal assemblies were directly elected by the people in secret ballot. The Constitution also provides that a person after being elected may be recalled by the constituency (Article 133). Beside the rights of suffrage and recall, the people also possess the rights of initiative and referendum. However, although the Constitution states that the exercise of the rights of initiative and referendum shall be prescribed by law (Article 136), no law in this regard has been promulgated.

647 In the selection of public functionaries, the Constitution specifies that a system of competitive examinations shall be enforced, quotas of candidates shall be prescribed severally according to provinces and areas, and examinations shall be held by regions. No person may be appointed to a public office unless he has been qualified through

examinations.[29] Ever since A.D. 132, competitive civil examination has been an established system in China for the selection of men of talent to fill important posts in the government. This provision simply confirms an age-old Chinese practice. In 1953, several civil service examinations were held. In the examination for civil service employees and for professional practitioners and technicians (lawyers, physicians, etc.), 2,400 persons participated in the higher examinations and 988 persons passed. In the general examinations, 155 out of 1,150 participants passed.[30]

In order to qualify for public office, Formosan-born Chinese took a special civil service examination in 1954, at which time

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29. Constitution, Article 85.

30. A high-school graduate is qualified to take the general examination. A college graduate or one who has successfully passed the general examination may participate in the higher examination. Those who have passed the general examinations may fill clerical positions, and the successful candidates of higher examinations may fill higher posts in the government.

647 84 persons passed the higher examination and 216 passed the general examination. Other examinations were held for postal clerks, telegraph operators, engineers, and other postal personnel. Those who passed these examinations were eligible for promotion. Telegraph and other public utilities are state enterprises and their employees are considered public functionaries.

INTERPRETATION AND AMENDMENT OF THE CONSTITUTION

642 In a democratic country, the most important function of a written constitution is to safeguard the political or public rights of the people. Although the rights and freedoms of the Chinese people are defined in the Chinese Constitution, there is no well-established glossary of legal concepts. For example, just what is meant by "freedom of speech?" What are its dimensions and how far may it be restricted? Such questions will continually demand renewed discussion. Since the Constitution provides that individual freedoms and rights may not be curtailed or restricted by legislation, except in consideration of the social interest and general welfare (Article 23), we must ask what, exactly, constitutes "social interest" and "general welfare"? It is obvious that the guaranty of freedom may be infringed upon if the meaning and scope of social interest

644 Directly under the Executive Yuan there are also a number of subordinate organs. They are: the office of the Comptroller-General, the Government Information Bureau, the Council for United States Aid, the Economic Stabilization Board, the Planning Board, and the Commission on Rationing for the Central Government Personnel.

645 The President of the Executive Yuan or the Premier is nominated and appointed by the President with the consent of the Legislative Yuan, but other members of the Yuan, including the Vice-President, the ministers of various departments and heads of the commissions, and the ministers without portfolio, are nominated by the Premier to the President of the Republic; appointments are made by the latter without consulting the Legislative Yuan. Therefore, legally speaking, the President of the State is responsible to the people as represented by the National Assembly, the Premier (President of the Executive Yuan) is responsible to the President and the Legislature jointly, and the Ministers are responsible to the President and the Premier jointly.

According to the Constitution,[15] the President of the Executive Yuan resigns if an

15. Article 57.

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D. The Control Yuan

647 The functions of the Control Yuan are threefold. (1) It exercises a censorial power over the behavior of public functionaries, both in the central government and in the local governments, for dereliction of duty or for violation of law. An impeachment, when instituted, is referred to the Judicial Yuan for displinary action, and if it involves a criminal offense, the case is turned over to the law court. An impeachment of the President or the Vice-President of the Republic by the Control Yuan, however, must be presented to the National Assembly for consideration. (2) Through the Ministry of Audit, the Control Yuan supervises the execution of the government budget. It has the power of investigation before and after public money is spent. It checks receipts and disbursements of government offices and public enterprises, and it examines their final financial statements. The Ministry of Audit reports any irregularity in financial matters on the part of an official or a government body to the Control Yuan, which institures impeachment proceedings. (3) In the appointment of the President, Vice-President, and Grand Justices of the Judicial Yuan, and the President, Vice-President, and members of the Examination Yuan by the President of the State, previous consent of the Control Yuan is necessary. A nominee must pass a Review Committee before

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• 647 being accepted by the general meeting of the Control Yuan.[24]

The members of the Control Yuan are elected by the provincial and municipal councils, the district councils of Mongolia and Tibet, and overseas Chinese groups in the following proportions: five members from every province,[25] two members from every special municipality,[26] eight members each from Mongolia, Tibet, and Chinese nationals residing abroad. The tenure of the members of the Control Yuan is six years. The total maximum membership of the Control Yuan is 223. Actually before the National Government was moved to Formosa, 180 members had been elected. The current membership is 155.[27] Like the members of the Legislative Yuan, members of the Control Yuan cannot be held responsible outside the Yuan for opinions expressed or votes cast in the Yuan, and they cannot be

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24. Law governing the Application of the Power of Consent adopted by the Control Yuan in June 1948.

25. Of the five members from each province, one must be a female.

26. Municipality under the direct jurisdiction of the Executive Yuan.

27. China Handbook 1954-55, Taipei, China Publishing Co., 1954, p. 168.

647 arrested or detained without the permission of the Yuan.

E. The Examination Yuan

The Examination Yuan is the fifth independent branch of the Chinese National Government. According to the Constitution, its function is "to attend to matters such as examination, appointment, registration, ranking, checking of records, salary scales, promotion and transfer, safeguarding tenures, commendation, compensation, retirement, and pension;[28] in other words, it deals with all affairs pertaining to government personnel.

The President, Vice-President, and a number of members (examining commissioners) of the Examination Yuan are appointed by the President of the Republic with the consent of the Control Yuan. Their term of office is six years. The Examination Yuan has two ministries, one in charge of matters pertaining to examination, and the other in charge of registration of records and review of qualifications of government employees. Several examinations are given each year.

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28. Constitution 1947, Article 83.

Generally speaking, there are two kinds of examinations: (1) to qualify candidates for election to public office or for appointment to government posts and (2) to qualify specialists and technicians for professional practice. The Chinese Constitution expressly stipulates that no person may be appointed to a public office unless he has been qualified through examination.[29] Architects, lawyers, accountants, doctors, pharmacists, nurses, wireless operators, and navigators, in order to obtain their licenses, must either successfully pass a public examination or satisfy the Committee of Review of the Ministry of Examination with sufficient testimony of their educational attainments and past experience. A higher examination and a general examination are usually given simultaneously for each field. High school graduates may take part in the general examination, while college graduates, qualified technicians, public functionaries who have served in the government for three years in a minor capacity, and those who have passed the general examination are permitted to take the higher examination. Those who pass the general examination are qualified for clerical work. Those who pass the higher examination are qualified for higher posts in the government or for professional practice.

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29. Article 85.

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Annex "A," Subparagraph 2g,
Political Background

PROPAGANDA

PROPAGANDA AGENCIES

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647 The principal propaganda agencies of the Chinese government in Formosa are the Fourth Section of the Kuomintang Central Committee, which is in charge of publicity, operates newspapers in Formosa and abroad, publishes magazines and books, and promotes radio programs; and the political department of the Ministry of National Defense, which makes frequent airborne leaflet raids and broadcasts daily to the China Mainland. In addition, it runs a motion picture studio, stages plays, operates mobile units which urge the people to support the government, publishes periodicals, and distributes reading matter to the armed forces.

PROPAGANDA POLICY AND ACTIVITIES

Propaganda to the Mainland

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123 Propaganda is directed to the China Mainland by airborne leaflets and radio broadcasts. In 1954 some 375,000 leaflets were dropped every two weeks over Chekiang,

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Annex "A," Subparagraph 2h,
Political Background

BIOGRAPHICAL SKETCHES

647 This study has been divided into three sections -- namely, biographical sketches of key personalities in the central government, sketches of important men in provincial and local governments, and sketches of men important in commerce, industry, and in academic life.

When possible, these brief sketches include information as to the date and place of birth, education, experience, general career, and current position. Those selected are considered to be of current importance in political, military, and economic spheres. The limitations imposed by the nature of this study have, in some cases, made necessary the omission of certain personages who were prominent on the China Mainland and now live in semi-retirement in Formosa and promising personalities whose current position may be secondary but who may prove of importance in the future. However, the sketches presented should offer a valuable background to those who wish to become familiar with the men who affect the course of events in Formosa today.

649 In order to save space, certain abbreviations have been used in the biographical sketches which follow.

CAC -- Central Advisory Committee of Kuomintang
CAF -- Chinese Air Force
CEC -- Central Executive Committee of Kuomintang
CRC -- Central Reform Committee of Kuomintang
CSC -- Central Supervisory Committee of Kuomintang
CUSA -- Council for United States Aid
JCRR -- Joint Commission for Rural Reconstruction
KMT -- Kuomintang

Names are spelled as they most frequently appear in publications regarding Formosa or as preferred by the person concerned.

631 urban centers as administrative units. The island is presently divided into sixteen counties and five province-controlled municipalities. Under them are various districts, townships, and villages.[12]

632 634 666 Within this framework of centralized control is carried out the program of encouraging local self-government. As of May 6, 1951, all the twenty-one mayors and county magistrates had been successively elected to their respective offices by popular vote.[13] Besides, there are 6,304 village and *li* (urban units akin to wards) assemblies learning self-government by doing. Representing them in township and district assemblies are some 8,024 village and *li* delegates.[14] On county and municipal levels are some 541 popularly elected councilmen.[15] Of an estimated 2,650,000 men and women of twenty years of age and over who are qualified to vote, some 2,416,072 had registered.[16]

647 Along with the development in local self-government has been an increase in the participation of local inhabitants in the management of their provincial affairs. It may be recalled that under the Japanese, of 84,559 government personnel in 1945, 55.53 per cent were Taiwanese, and the rest Japanese.[17] In June 1950 the total number of govern-

[12] See Provincial Government of Taiwan, *Report on Administrative Reorganization**, Taipeh, 1949; also Democratic Publications Association, *Taiwan Reconstruction** (Taipeh, 1950), Vol. 1, pp. 1–12.

[13] The Broadcast of Voice of Free China, Taipeh, April 28, 1951 reported the conclusion of nineteen local elections with the remaining two to be completed by May 6, 1951.

[14] April 1948 figures. Also see *Taiwan Reconstruction**, cited note 12 *supra*, pp. 7–12. The terms of office of the delegates have since been extended by the National Government to such time as "formal assemblies shall be constituted."

[15] *Ibid.*

[16] 1947 figure. See *Taiwan Reconstruction**, cited note 12 *supra*, p. 7.

[17] For a breakdown of government person-

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52:Steiner S-4 (no date)1951
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FORMOSA AD1

647 ment employees was reduced to 81,006, while the percentage of indigenous citizens in government service had risen to 65.46. A more significant change, perhaps, is in the increase of indigenous personnel in positions of responsibility. Among the first-class officials, local personnel has increased from 0.92 per cent under the Japanese to 17.45 per cent under the Nationalists. During the similar period, the second-class officials of indigenous origin rose from 1.29 per cent to 25.02 per cent.

563 Of 113,900 aborigines in Taiwan, 91,-
657 070 of them live in the central mountainous region. Since 1946 they have been exempted from tax payments. Redistricted into a number of villages and subvillages, they have been developing local self-government through village assemblies. There are at present 159 free primary schools among them, educating some 20,000 of their children. In addition, 924 graduates have been awarded government scholarships to enter secondary schools. Among them are also 140 public health clinics serviced by 321 medical people.[18]

Finance

652 The people of Taiwan suffered much when their currency was linked with that of mainland China. From one Taiwan dollar for thirty Chinese dollars (*fapi*) in 1946, the rate climbed to T$1,835 for one Chinese "Gold Yuan" in August 1948.[19] By the time the Gold Yuan collapsed several months later, there was little purchasing power left in the Taiwan dollar worth salvaging. A fresh start was made in June 1949 when the

nel figures on which this analysis is based, see *Taiwan Today*, cited note 11 *supra*, pp. 30–31.

[18] For figures in this paragraph, see *Taiwan Reconstruction**, cited note 12 *supra*, Vol. 1, pp. 20–21.

[19] For a general description of Taiwan provincial finance, see *Taiwan Reconstruction**, pp. 33–77; also cf. *Taiwan Today*, cited note 11 *supra*, pp. 44–76.

[E.216 (B)]